

FUNDING FOR
RURAL COUNTIES'
CUSTODIAL FACILITIES
IN THE FUTURE

Article

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Introduction

The Shasta County Sheriff's Office is presently experiencing what has become the norm throughout California with regards to funding the county jail operation. According to studies done on the rising cost of incarceration, the cost of operating a California county jail has increased an average of 22 percent a year, while general revenues to pay these costs have increased only 11.6 percent.¹ The only overall strategy for jail overcrowding is to build more jails, and the only fiscal response seems to be to raise taxes. Regardless of who pays the bill, either costs have to be brought under control or a strategic plan developed to deal with the ever increasing amount of money needed to fund the county jail.

A brief historical look into the earliest county jails will provide a window through which will be seen some of the rationale for using county jails. From the onset of the county jail, all manners of prisoners have been booked there. Whether a city police officer or a state official arrests someone, they all are booked at the county jail. In the County of Shasta for example, the City of Redding Police book almost fifty percent of the prisoners and pay only five percent of the costs associated with the care and custody of those inmates. This five percent paid by the Redding Police Department comes in the form of booking fees charged for each prisoner booked at the jail. There is an enormous outlay of funds required to build and operate the Shasta County Jail.

Historical Background

When someone mentions the word sheriff, many people think of the gunfights that occurred in the old west and the associated images. Most of our historical perspective of the sheriff's office has come from television and the movies, and it's almost impossible to think

of them existing in any other place in time. The office of the sheriff actually has quite an ancient history dating back between 1,000 and 1,200 years into the middle ages, all the way up to our own high tech era.

Today, sheriffs are elected officials who serve as the chief law enforcement officer in a county. Although the duties vary from county to county, the primary duties of the office involve law enforcement and corrections. In the United States there are more than 3,000 counties and most have a sheriff. Most of the states have established the authority for the sheriff in the state constitutions, although some have allowed for the office by an act of the Legislature. Alaska is the only state in which the office of the sheriff does not exist. There are also only two states, Rhode Island and Hawaii, that appoint rather than elect the office of the sheriff.

The issue of funding county custody continues to pit county governments against both state and city governments. Historically, counties assumed responsibility for custody as other local governmental entities had not yet come into existence. States and cities have evolved, while counties continue to shrink in population, tax base, and importance. A thorough examination needs to be done which accurately reflects each governmental entity's responsibility in sharing the cost of county custody. The future of county custody facilities depends on this examination, as well as maintaining workable relationships between governments.

Looking Toward The Future

In order to organize and plan for greater cooperation among local governments, the nominal group technique (NGT) was employed. The purpose of the technique is to enhance productivity, increase participation and reduce errors in group decisions. It is especially useful for problem identification, problem solving and program planning.

The NGT consisted of panel members with diverse backgrounds and perspectives who, after much discussion, formed a consensus selecting only the most crucial issues related to this project. This group of participants was selected for their expertise in both law enforcement and civilian areas of government.

The group was given ample opportunity to think about trends that they felt would affect the issue in some substantial way. After committing their ideas to paper, they gave their ideas one by one to the entire gathering. A list of thirty-one trends was then identified by the participants. Trends have a general direction or course and have a past, present or future. They can be quantitative or qualitative, and can be quantified. The members of the NGT Panel were able to, after much discussion, refine these trends down to six which they felt were the most significant.

- Longer sentencing imposed by law enforcement
- Stock market crash causes recession.
- Crime rates and decriminalization.
- Costs of facilities versus dwindling revenues.
- Amount of money spent on front-line law enforcement disproportionate
- Jail housing fees.

The following events were chosen according to their impact and potential to occur. These events have a positive or negative impact on the issue. Thought was given to identifying or even causing events to happen when considering potential impact on trends.

Events

The process for forecasting events was the same as for the forecasting of trends. Events happen in the future and may have a significant impact on an issue. The group was given time to commit its ideas to paper and then gave them to the group one by one. The group was able to identify thirty events that they believed would have an impact on the funding of custody in the year 2005. The top six events are listed as follows.

- A significant change in the state and local tax structure.
- Legislative changes allow the state to take over the care and custody of county prisoners which had historically been mandated to the counties.
- The state brings school funding up to the national average.
- A large amount of one-time money is presented to law enforcement.
- The state reneges on promise to return vehicle license fees.
- The city and county form a partnership to manage the care and custody of prisoners.

Cross-Impact Analysis

After the discussion of trends and events, a cross-impact analysis was done. This process, part of the NGT, is a further means of measuring the relationship between variables.

It is used as a tool to forecast and identify how trends and events will affect each other, how much influence they have, and if outcomes will be more or less likely to occur.

A number of scenarios were developed to reflect the findings and suggestions of the NGT Committee. In this article, only the optimistic scenario will be used to forecast, or create a vision of the future. Shasta County is the setting for the scenario with the following information gathered as background.

Scenario

Shasta County is a hub of activity located approximately 2-1/2 hours north of Sacramento. It has been described as the spokes of a wheel as Interstate 5 runs north and south and Highway 299 runs east and west, with other smaller highways running off in several different directions. Shasta County has a population of approximately 175,000 with approximately half of that population living in the City of Redding. The Cities of Anderson and Shasta Lake both have populations of approximately 9,500.

In Shasta County there are three enforcement agencies, those being the Shasta County Sheriff's Office with 150 officers, the Redding Police Department with 75 officers, and the Anderson Police Department with 14 officers. The City of Shasta Lake has 10 officers who are assigned from the Sheriff's Office which involves a contract for law enforcement services.

Optimistic Scenario

Shasta County, after a decade of fiscal crisis, has emerged as "THE" place to live according to a recent Harris poll. The quality of life has improved so much that businesses

are relocating to the Redding area and a home-building boom is in progress. How did the county pull out of its slump you ask? Well simply stated, the solution to the long-term problem of how to fund mandated county custody was discovered and resolved.

Back in the 1990s, the issue of how to adequately fund county custody was raging in most of the northern rural California counties. For years these counties had seen their tax base eroded by the ever increasing size of local municipalities. With the passage of Proposition 13, the county lost a considerable amount of tax revenue and control over its discretionary funding.

Early in the 21st century, the City of Redding changed its name to McConnell in honor of the McConnell Foundation which has continually made gifts of money to the city for all manners of infrastructure improvements as well as the arts. The new City of McConnell was growing by leaps and bounds and had a population of more than 100,000 as it entered the twenty-first century. Since the City of Shasta Lake had recently voted to become part of the City of McConnell, the geographic boundaries of the new City of McConnell have almost doubled.

By the year 2004, the City of McConnell was prospering and the County of Shasta was feeling the pinch of dwindling tax dollars and increasing demands on its mandated services such as the county jail. Since losing the City of Shasta Lake contract with its 1.4 million dollar budget, the Sheriff's Office had to lay off twelve deputies and again close the Sheriff's Detention Annex which released more than six hundred inmates back into the community without finishing their sentences.

Prosperity in the City of McConnell brought with it a double-edge sword. The city kept increasing its number of front-line law enforcement personnel. The police department had grown from 80 to 120 officers over the past few years by means of state and federal grants adding officers on the street to police the ever expanding city population. These officers were arresting more law breakers and the percentage of McConnell P.D. bookings had grown to account for almost seventy-five percent of the annual bookings at the county jail.

The year 2005 saw many changes in state and local government and a redistribution of revenue. First of all, the State of California, under the new Republican Governor, acknowledged its responsibility to increase its funding to county jails. The cost of operating the county jails had risen at twice the rate of government reimbursement which had a dramatically negative effect on the counties' discretionary funds. This, in turn, prevented the county from adequately compensating its existing employees creating a hiring and retention dilemma.

The second breakthrough came when the City of McConnell reached an agreement with the County of Shasta to reimburse the county for jail housing fees. The city felt that since they booked more than seventy-five percent of the prisoners in the county jail that they should share in the jail costs to some extent. Cities have a vital stake in making sure they will have space in the jail when it is critically needed. The fee that the county now charges the city per prisoner is \$71.52 per day. It is not called a booking fee, but more properly reflects the county costs for keeping offenders in the total system. As the city now books 7,500 prisoners a year, the county sheriff is receiving more than \$500,000 in revenue.

With the compensation now being given to the County of Shasta from the proceeds of the housing fees, the Sheriff was able to embark on a number of projects that had been in planning for years. The Sheriff was able to use a large tract of county-owned land and set up a medium security facility with an attached work release and annex area. The actual construction of buildings was financed through state and federal grants and the installation was staffed with both sworn and nonsworn employees. The new facility houses more than six hundred inmates and takes a considerable pressure off of the main booking facility at the jail. Local law enforcement officers were able to arrest offenders instead of merely writing them tickets.

The ability to actually arrest and book offenders in the county jail caused a large decrease in the local crime rate. The results of a lower crime rate were not lost on the local business community as sales started to increase, reflecting a rise in the standard of living. The County of Shasta and City of McConnell partnership became a model for other cities and counties to emulate. The city/county partnership, or metropolitan area as it was now called, had more political clout when dealing with the state on issues of custody and reimbursed tax monies.

Looking realistically at the issue of funding county custody, it can be readily observed that there have been few in roads made to address the problem. Booking fees were instituted but did not adequately address the problem of housing inmates. The direction taken by this project will involve conflicts of value and will not be easily resolved. It will take a strategic plan with the participants having the ability to adapt, challenge and act.

Strategic Plan

Embracing an Optimistic Future

After it is decided that a change must take place, how do we go about changing the direction of local and state organizations? Concentrating on priorities and enhancing internal coordination will create additional staffing concerns. However, if accountability and control are to exist, then problems need to be explored and planning must take place.

The ability of an organization to adapt to a new environment depends on its ability to look into the future. Looking into the future and trying to bring that vision to bear on today's decisions is a key to facilitating a paradigm shift within organizations. One of the trends and events examined in the NGT sessions needs to be examined in order to see what impact it could have on the stated issue. It is important to have the ability to encourage these trends and events while moving toward a vision of a desirable future. It is equally important to prepare for potential problems that future scanning indicates we could encounter.

Trend-Jail Housing Fees

The proposal to institute housing fees was used in the previous scenario as NGT panel members believed it had potential to affect the stated issue. As stated earlier, the cost of county custody has grown at a rate of more than twice that of state reimbursements. Several years ago, this disparity resulted in the creation of booking fees to make up the difference for the counties' loss of revenue.

The previous information regarding trends and events, as well as the potential problems in state funding, points out the need to work together. Futurity, or the concept of

looking ahead, causes us to examine strategic issues which mainly come from the background. They appear as little whispers and soon move forward to become critical issues. Counties, cities, and states working as partners can ask why and how, then work together to formulate answers before it's panic time. Forming partnerships are not without pitfalls, but creating a shared vision and common direction can create a bond between stakeholders and should be examined.

The Decision to Partner

The decision to form a partnership between a municipality and county to prepare for increased funding needs for custody should be given careful consideration. The following factors need to be considered. Assumptions and perceptions, to include criticism, of those impacted by the partnerships should be carefully considered. The stakeholders must examine emerging trends and future events outlined in the previous section.

In order for all parties to share in the vision of a partnership involving local custody, a proper accounting of the concept of housing fees must be explored. A clear picture of the quality of life in the community is important for all stakeholders. This notion of a partnership, whether rational or not, needs to be justified. The following strategy was developed to approach the issue of a shared vision.

1. Establish an advisory group of all stakeholders to fully acquaint them with the reasoning and justification for the fees.
2. Set up a system for feedback to ensure all concerned agencies have the ability to express concerns.

3. Bring together the executive staff of the effected agencies and fully explain the history and methodology for the implementation of housing fees.

The strategy to prepare for increased funding needs for custody facilities is critical to the existence of rural counties. The county needs to emphasize the importance of the issue and how it affects the quality of life in the county. The Cities of Redding and Anderson, as well as the City of Shasta Lake, need to understand the importance of a viable county jail. They need to recognize their role in maintaining the health of the community.

Strategy for Transition Management

Wayne Gretsky once said that he is effective as an athlete not because of his ability, but because he skates to where the puck is going to be.² This ability to anticipate, to get there before the problem and prevent it is key to a successful transition in an organization. This concept of transition management takes into account the stakeholders and should create a vision of the future. What follows are critical ingredients of a successful organizational change process.

Ingredient One-Planning and Organization

Stakeholders and their sphere of influences need to be identified and approached for support. The first and most important issue is to explain the rationale for the change. Necessity is still the mother of invention. The sense of crisis, particularly in Shasta County, will be the catalyst to get the process started. Stakeholders must be convinced that the change is imperative, not an option. It is important to get by the denial stage and clearly define what

is changing and what is not. Understanding how the transition will be viewed by stakeholders is important as the world is not defined by any one organization.

This initial clarification for the change in the affected organizations is designed to accomplish the following: first it will stop the nay sayers from thwarting a good idea before it gets started. Secondly, acceptance of change is a process. Organizational leadership must clearly communicate with the stakeholders, keeping in mind that during the process everyone is watching. Lastly, we are reminded that “people see only what they are prepared to see.”³ The stakeholders will not automatically comprehend all the impacts of the changed projects. The changed leadership will prepare the stakeholders so they can see what is necessary to implement the change.

Ingredient Two-Implementation

During this stage, the individual change project will be discussed from the perspective of preparation and execution. Jail housing fees and a partnership between the municipalities and Shasta County go hand-in-hand. Once the idea is recorded, identifying how to knock down the barriers will begin. Some ideas are best taught by example. Counties in California have in the past nearly declared bankruptcy. The City of Bend in Oregon had to give money to the Deschutes County Sheriff’s Office in order to keep the jail from closing down and releasing hundreds of prisoners.⁴

All law enforcement agencies, as well as representatives from businesses in the community, will be enlisted to ensure a broad spectrum of ideas. This group will oversee a survey of the community to gain insight into the priorities presently in place. The group will

disseminate information through special announcements, the media, and a newsletter to ensure the public has adequate information on the issues. One of the objectives of the above committee will be to take advantage of the learning effect which will arise in this phase. Since all stakeholders will be participating, hopefully this study of the transition of change will open a few eyes and move people off their positions.

Ingredient three-Formalizing

This project is a unique venture which should have a beginning and an end. A mix of people, systems and techniques will be employed to carry the project to completion. The committee studying tax structure and related issues will be an ongoing effort to monitor fiscal change relevant to the county.

It is recommended that the committee selected to gather information on housing fees be made up of the following agencies.

- Shasta County Sheriff's Office
- Redding Police Department
- Anderson Police Department
- City of Shasta Lake
- U.S. Forest Service
- Bureau of Narcotics Enforcement
- Related law enforcement agencies

It is also recommended that the following stakeholder groups be included:

- California State Association of Counties

- League of Cities
- Redding Chamber of Commerce
- Related business concerns

This committee will operate under the direction of the joint powers groups made up of one executive each from the City of Redding, County of Shasta, City of Anderson and the City of Shasta Lake. A formalized study will produce a document reflecting the actual daily housing costs of keeping an inmate at the Shasta County Jail. The committee will communicate information to the joint powers group regarding actual costs and community-wide implications.

Conclusion

The implications for leadership concerning this issue are critical. The process will be one of change from the inside out. At least one of the leaders in the joint powers group will have to be committed to a partnership and demonstrate extraordinary leadership in the transition. This visionary leader will have to be credible and be trusted by all the other involved parties. This transition will involve risk. In order for all partners to willingly assume this risk, they must trust those around them to be there when there are setbacks. All of the participants must be valued and respected at every step of the process. If the teams, committees, and executive participants do not have a culture of that trust and mutual respect, the process will take on a theoretical and distant goal. This trust foundation can be used to develop future relationships that will serve us well into the future.

Creating a Shared Vision

The most important factor for executing change is to create a shared vision. This vision should be shared by three groups, the change strategists, the change implementors, and the change recipients. Coordination between these groups is essential if drastic changes are to be given a fighting chance. These three groups lay the foundation and craft the vision. Last of all, they will either adopt or fail to adopt the change plan. The issue at hand deals with preparation for increased funding needs in the county jail system by the year 2005. It is said that if you put a frog into boiling water, it will jump out. However, if you put the frog in the water and slowly heat it, the frog will stay and eventually die. The lesson simply put is that we don't see it coming until it's too late. If a partnership is to work, there must be not only a shared vision but also shared power. All of these groups must be willing to protect the initiatives over the long term.

Historically, counties have been burdened with funding county custody. That fact is well documented in both federal and state constitutions, as well as state statutes. Government bureaucracies on all levels have failed to come together on an issue that is a thousand years old. So who will step forward and take the lead? This responsibility could rest with municipalities as cities have surpassed counties as the centers for commerce and growth.

The difficulty in the change process will be convincing people that this is the way to go. It is difficult to ask people to deal with tomorrow's problems when they have problems today. The idea of a partnership has to be sold. They have to be convinced. If these strategies can be implemented, ten to fifteen years down the road, we will be glad we made

the effort and sacrifice. Dr. Robert Schuller offered a famous change quote as follows:

“What would you attempt to do if you knew you could not fail?”⁵ It is with these words in mind that we go forward in an attempt to create a shared vision of the future.

ENDNOTES

1. Richard Simpson, *Jailhouse Blues*, California Counties Foundation, (September 25, 1991), p. 1
2. Dr. Robert Schuller, *Change Quote Analysis*,
(http://www.corpchange.com/quote_analysis.htm)
3. Ibid.
4. Barney Lerten, "City Offers to Bail Out Jail," the Bulletin, July 1998, p. 1
5. Dr. Robert Schuller, *Change Quote Analysis*,
(http://www.cropchange.com/quote_analysis.htm)

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